

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION

Plaintiff,

19 cv 9439 (PKC)

-against-

TELEGRAM GROUP INC., et al.,

Defendants.

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CASTEL, U.S.D.J.

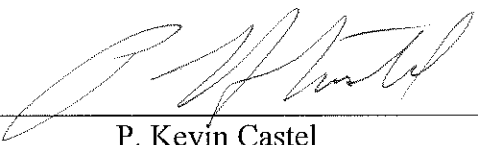
The Court will hold a conference on October 18, 2019 at 10:30 am to address all procedural and scheduling matters, including the scope and timing of discovery.

Past violations may in certain circumstances support a claim for an injunction against future violations and a promise to refrain from certain proposed action does not moot all possible injunctive relief. On the other hand, plaintiff's claim that the potential for irreparable harm is immediate is undercut by the defendants' consent to a standstill order.

In advance of tomorrow's conference, the parties should discuss (1) resolving the scope and timing of discovery, (2) reaching an agreement on a negotiated standstill, (3) advancing the trial on the merits and consolidating it with the preliminary injunction hearing and (4) an exchange of listing of any witnesses it intends to call at a preliminary injunction hearing, including a schedule for direct testimony by affidavit.

The parties should be aware that summary judgment motions in matters tried to the Court are a rare exception in matters before the undersigned.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
October 17, 2019